

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**In re: CIRCUIT CITY STORES, INC., et al.,
Debtors.**

**Case No. 08-35653-KRH
Chapter 11
(Jointly Administered)**

**ALFRED H. SIEGEL, Trustee of the
Circuit City Stores, Inc. Liquidating Trust,**

Plaintiff,

v.

Adv. Pro. No. 19-03091-KRH

UNITED STATES TRUSTEE PROGRAM, et al.,

Defendants.

SCHEDULING ORDER

On August 30, 2022, the Court conducted a pre-trial conference in the above-captioned adversary proceeding (this “Adversary Proceeding”). Counsel for Alfred H. Siegel, Trustee of the Circuit City Stores, Inc. Liquidating Trust (the “Trustee”) and counsel for the United States Trustee Program, Clifford J. White, III, Director, John P. Fitzgerald, III, Acting United States Trustee for Region 4 (collectively, the “Defendants” and, together with the Trustee, the “Parties”) the parties appeared at and participated in the pre-trial conference.¹ For the reasons stated on the record in open court, it is

ORDERED, ADJUDGED, and DECREED that:

1. The Defendants shall file their answer(s) no later than **October 4, 2022**.
2. The Defendants may file a motion(s) to dismiss (the “Motion to Dismiss”). In the event that the Defendants file a Motion to Dismiss, the following briefing schedule shall apply:

¹ Upon issuance of the Fourth Circuit’s mandate, the Court intends to consolidate this Adversary Proceeding with Adversary Proceeding No. 19-03060-KRH.

- a. The Defendants shall file the Motion to Dismiss no later than **October 4, 2022**; provided, however, that this paragraph shall not supersede or otherwise affect the provisions of paragraph 1 of this order. The Motion to Dismiss shall not exceed 6,000 words.
- b. The Trustee shall file his response (the “Response”) to the Motion to Dismiss no later than **October 18, 2022**. The Response shall not exceed 6,000 words.
- c. The Defendants may file a reply (the “Reply”) to the Response, which Reply shall be filed no later than **October 25, 2022**. The Reply shall not exceed 2,500 words.

3. The Court will conduct a continued pre-trial conference and hearing on the Motion to Dismiss on **November 1, 2022**, at **11:00 A.M.** (Eastern Time) (the “Hearing”). The Hearing shall be conducted **both** in-person and by Zoom for Government. Persons wishing to appear at the Hearing may participate by either, at their option, appearing in person at Judge Huennekens’ Courtroom, 701 E. Broad St., Courtroom 5000, Richmond, Virginia, or registering in advance at:

<https://www.zoomgov.com/meeting/register/vJltcuuprT0pEh1RN0yHLI0nlkkqMJgNuHs>

DATED: August 31, 2022

/s/ Kevin R. Huennekens
UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: Aug 31 2022